

FORM PTO-1390 (Modified) (REV. 07-2004) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER 262905US0PCT	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/516330	
INTERNATIONAL APPLICATION NO. PCT/EP03/050225	INTERNATIONAL FILING DATE 13 June 2003	PRIORITY DATE CLAIMED 14 June 2002	
TITLE OF INVENTION AZOLE METHYLDENE CYANIDE DERIVATIVES AND THEIR USE AS PROTEIN KINASE MODULATORS			
APPLICANT(S) FOR DO/EO/US GAILLARD Pascale et al.			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 23. <input checked="" type="checkbox"/> Other items or information: <p style="text-align: center;">Application Data Sheet/Notice of Priority/Request for Consideration Annexes to International Preliminary Examination Report (Amended Sheets (pages 22, 23, 177 and 178) Letter Submitting Payment of Additional Fees for Applications Whose Specification and Drawings Exceed 100 Pages</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.1)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
107516330	PCT/EP03/050225	262905US0PCT

24. The following fees are submitted::		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :			
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00			
ENTER APPROPRIATE BASIC FEE AMOUNT = \$1,000.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20	<input checked="" type="checkbox"/> 30
		\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	25 - 20 =	5	x \$50.00 \$250.00
Independent claims	1 - 3 =	0	x \$200.00 \$0.00
Multiple Dependent Claims (check if applicable).		<input type="checkbox"/> \$0.00	
TOTAL OF ABOVE CALCULATIONS = \$1,380.00			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$0.00	
		SUBTOTAL = \$1,380.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).		<input type="checkbox"/> 20	<input type="checkbox"/> 30 +
		\$0.00	
TOTAL NATIONAL FEE = \$1,380.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).		<input type="checkbox"/> \$0.00	
TOTAL FEES ENCLOSED = \$1,380.00			
		Amount to be: refunded	\$
		charged	\$
a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0030</u> d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:		<i>Surinder Sachar</i>	
CUSTOMER NUMBER 22850		SIGNATURE	
Surinder Sachar Registration No. 34,423		<u>Norman F. Oblon</u>	
		NAME	
		<u>24,618</u>	
		REGISTRATION NUMBER	
		<u>Dec. 14 2004</u>	
		DATE	

10/516330

Docket No. 262905US0PCT

IN RE APPLICATION OF: Pascale GAILLARD et al.

SERIAL NO: New U.S. PCT Application Based on PCT/EP03/50225

FILED: HEREWITH

FOR: AZOLE METHYLDENE CYANIDE DERIVATIVES AND THEIR USE AS PROTEIN KINASE MODULATORS

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.

Additional documents filed herewith: PCT Transmittal Letter/Application Data Sheet/Notice of Priority International Search Report/International Preliminary Examination Report Letter Submitting Payment of Additional Fees/Request for Consideration Annexes to International Preliminary Examination Report (Amended Sheets (pages 22, 23, 177 and 178) Credit Card Payment Form for \$1,880.00

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	25	MINUS	25	0	x \$50 =	\$0.00
INDEPENDENT	1	MINUS	1	0	x \$200 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				+ \$360 =		\$0.00
TOTAL OF ABOVE CALCULATIONS						\$0.00
<input type="checkbox"/> Reduction by 50% for filing by Small Entity						\$0.00
<input type="checkbox"/> Recordation of Assignment					+ \$40 =	\$0.00
						TOTAL
						\$0.00

A check in the amount of \$0.00 is attached.

Credit card payment form is attached to cover the fees in the amount of \$0.00

Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. OblonSurinder Sachar

Norman F. Oblon
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Registration No. 34,423

10/516330

Rec'd PCT/PTO 14 DEC 2004

DOCKET NO.: 262905US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Pascale GAILLARD et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/EP03/50225

INTERNATIONAL FILING DATE: June 13, 2003

FOR: AZOLE METHYLDENE CYANIDE DERIVATIVES AND THEIR USE AS PROTEIN KINASE MODULATORS

**REQUEST FOR CONSIDERATION OF DOCUMENTS
CITED IN INTERNATIONAL SEARCH REPORT**

Commissioner for Patents
Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Surinder Sachar

Norman F. Oblon
Attorney of Record
Registration No. 24,618
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10/516330

DOCKET NO.:

2905US0PCT

Rec'd PCT/PTO 14 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GAILLARD Pascale et al.

SERIAL NUMBER: New U.S. PCT Application Based on PCT/EP03/50225

FILED: HEREWITH

FOR: AZOLE METHYLIDENE CYANIDE DERIVATIVES AND THEIR USE AS
PROTEIN KINASE MODULATORS

**LETTER SUBMITTING PAYMENT OF ADDITIONAL FEES FOR APPLICATIONS
WHOSE SPECIFICATIONS AND DRAWINGS EXCEED 100 PAGES**

COMMISSIONER FOR PATENTS
Box PCT
Alexandria, VA 22313

SIR:

Applicants are submitting herewith the additional fees of \$500.00 for an application whose specification and drawings exceed 100 pages.

Our credit card payment in the amount of \$1,880.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Surinder Sachar

Norman F. Oblon
Attorney of Record
Registration No. 24,618
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